

### REMARKS

Claims 1-9 have been examined. Claims 7-9 have been rejected under 35 U.S.C. § 101, and claims 1-9 have been rejected under 35 U.S.C. § 102(b).

#### **I. Rejection under 35 U.S.C. § 101**

Claims 7-9 have been rejected under 35 U.S.C. § 101 because they allegedly are directed to non-statutory, functional descriptive matter. Since claim 8 has been canceled without prejudice or disclaimer, the rejection of the claim is moot. Also, Applicants submit that the amendments to claims 7 and 9 overcome the rejection.

#### **II. Rejection under 35 U.S.C. § 102(b) over U.S.P. 6,026,346 to Ohashi et al. ("Ohashi")**

Claims 1-9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ohashi. Since claims 2, 4, 6, and 8 have been canceled without prejudice or disclaimer, the rejection of these claims is moot.

With respect to claim 1, the route provision apparatus comprises a veering detecting unit and a travel route determination unit. The veering detecting unit detects a veering state in which the mobile object has veered from a determined travel route.

Based on the veering state, the travel route determination unit selects a route determination condition from among: (1) a return route search condition for determining a new travel route from the current position to a specific point along the determined travel route, (2) a first revised route search condition for determining the new travel route from the current position to a destination of the determined travel route, and (3) a second revised route search condition for determining the new travel route from the current position to the destination. Then, the travel

route determination unit determines the new travel route based on the selected route determination condition.

In contrast, Ohashi does not disclose or suggest both first and second revised route search conditions. For example, as shown in Fig. 12, when the vehicle veers off of the route (step 111), the guide route control processor 31 (Fig. 7) determines whether or not the vehicle is within a predetermined distance (*e.g.*, ten kilometers) of the destination (step 114). If the vehicle is less than the predetermined distance from the destination, the processor 31 recalculates the guide route from the current position of the vehicle to the destination (step 119). On the other hand, if the vehicle is greater than the predetermined distance from the destination, the processor 31 calculates a route from the current position of the vehicle to a return point (other than the destination) of the current guide route (steps 115 and 116).

Assume *arguendo* that (1) steps 115 and 116 in Fig. 12 of Ohashi correspond to determining a new travel route from the current position to a specific point along a determined travel route based on a return route search condition and (2) step 119 in Fig. 12 corresponds to determining the new travel route from the current position to a destination based on a first revised route search condition. Even with the assumptions above, Ohashi does not suggest a second revised route search condition for determining the new travel route from the current position to the destination.

Accordingly, Applicants submit that claim 1 is patentable over the reference. Since claims 3, 5, and 7 contain features that are similar to the features recited in claim 1, Applicants submit that they are patentable for similar reasons. Also, since claim 9 depends upon claim 7, Applicants submit that it is patentable at least by virtue of its dependency.

**III. Rejection under 35 U.S.C. § 102(b) over U.S.P. 6,064,941 to Nimura et al.  
("Nimura")**

Claims 1-9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Nimura. Since claims 2, 4, 6, and 8 have been canceled without prejudice or disclaimer, the rejection of these claims is moot. Also, Applicants submit that claims 1, 3, 5, 7, and 9 are patentable for reasons that are similar to why they are patentable over Ohashi.

**IV. Newly added claims**

Applicants have added new claims 10-22 to provide more varied protection for the present invention. Since claim 16 contains features that are analogous to the features discussed above in conjunction with claim 1, Applicants submit that claim 16 is patentable for similar reasons. Also, since claims 10-15 and 17-22 depend upon claim 1 or 16, Applicants submit that they are patentable at least by virtue of their dependency.

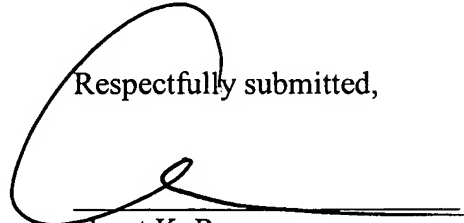
**V. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. No. 10/689,736

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Grant K. Rowan", written over a horizontal line.

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